

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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COMMUNITY HOUSING IMPROVEMENT  
PROGRAM, RENT STABILIZATION ASSOCIATION OF  
N.Y.C., INC., CONSTANCE NUGENT-MILLER, et al.,

Plaintiffs,

JUDGMENT  
19-cv-4087(EK)(RLM)

-against-

CITY OF NEW YORK, RENT GUIDELINES BOARD,  
DAVID REISS, CECILIA JOZA, ALEX SCHWARZ,  
GERMAN TEJEDA, MAY YU, et al.,

Defendants.

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74 PINEHURST LLC, 141 WADSWORTH LLC, 177  
WADSWORTH LLC, DINO PANAGOULIAS, DIMOS  
PANAGOULIAS, et al.,

Plaintiffs,

19-cv-6447(EK)(RLM)

-against-

STATE OF NEW YORK, NEW YORK DIVISION OF  
HOUSING AND COMMUNITY RENEWAL, RUTHANNE  
VISNAUSKAS, et al.,

Defendants.

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A Memorandum and Order of Honorable Eric Komitee, United States District Judge,  
having been filed on September 30, 2020, granting Defendants' motions to dismiss all claims in  
Community Housing Improvement Program v. City of New York (19-cv-4087); granting  
Defendants' motions to dismiss all claims in 74 Pinehurst LLC v. State of New York (19-cv-  
6447) except the as-applied regulatory-takings claims brought by Eighty Mulberry Realty  
Corporation and the Panagouliaes; dismissing The Pinehurst Plaintiffs' claims against the State

of New York and the DHCR for lack of subject-matter jurisdiction, as are their claims for damages against DHCR Commissioner Visnauskas in her official capacity; it is

ORDERED and ADJUDGED that Defendants' motions to dismiss all claims in Community Housing Improvement Program v. City of New York (19-cv-4087) is granted; that Defendants' motions to dismiss all claims in 74 Pinehurst LLC v. State of New York (19-cv-6447) is granted except the as-applied regulatory-takings claims brought by Eighty Mulberry Realty Corporation and the Panagouliases; and that the Pinehurst Plaintiffs' claims against the State of New York and the DHCR are dismissed for lack of subject-matter jurisdiction, as are their claims for damages against DHCR Commissioner Visnauskas in her official capacity.

Dated: Brooklyn, NY  
September 30, 2020

Douglas C. Palmer  
Clerk of Court

By: /s/Jalitza Poveda  
Deputy Clerk